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SUBJECT: JUDICIAL REFORM, DECENTRALIZATION AND ELECTIONS KEY ITEMS
FOR DRC PARLIAMENT

REF: A. Kinshasa 272 B. Kinshasa 243 C. Kinshasa 218

¶1. (SBU) Summary: Judicial reform and decentralization legislation are among the key priorities for the regular session of Congolese Parliament which opened March 15. Creation of a successor body to the Independent Electoral Commission will be one of the more difficult agenda items. Also likely to appear on the legislative calendar are an official inquiry into the current violence in Bas-Congo province and the amnesty law stipulated in the January 23 Goma Acte d'Engagement. End Summary.

¶2. (U) The chiefs of staff to the presidents of the DRC Senate and the National Assembly previewed the Spring 2008 legislative agenda to PolOff and PolAsst in consecutive meetings March 14. Information they provided on the calendar contained no unanticipated surprises. The Senate and Assembly inaugurated the session in separate ceremonies the following day (septel).

¶3. (SBU) Denis Tabianda Ngansia, chief of staff to Senate President Leon Kengo Wa Dondo, said the Senate will review the draft law on decentralization, which will establish the administrative composition of sub-provincial governments. He said other Senate priorities include proposed laws on the High Council of Magistrates (the administrative council charged with ensuring the independence of the judiciary) and the protection of patients with HIV/AIDs. Tabianda added that a Senate commission will examine mining contracts negotiated during the 2003-2006 Transitional government to determine if the terms are fair and equitable to the DRC.

¶4. (SBU) Pierre Kangudia, chief of staff to National Assembly President Vital Kamerhe, highlighted the importance of Parliament's two roles: lawmaking and oversight of the executive. He said the Assembly will draft laws establishing the higher and lower courts called for by the 2006 Constitution. He said that it will also review implementation of the 2008 budget and reports from various parliamentary commissions.

¶5. (SBU) Kangudia anticipated difficulty in reaching agreement on the National Independent Electoral Commission (CENI), a critical step for local elections anticipated later in the year. The CENI will replace the Independent Electoral Commission (CEI). He predicted intense consultations before majority and opposition deputies are able to reach agreement on its composition.

¶6. (SBU) Kangudia indicated that the Assembly is likely to undertake an inquiry into the current violence in Bas-Congo province (reftels). He reported that deputies had discussed the text of a possible motion in preparatory sessions. He said the Assembly had received a draft amnesty law from the government, covering acts of war and insurrection from 2003 until date of passage, derived from a provision of the January 2008 Goma Acte d'Engagement.

¶7. (SBU) Comment. The difficulties predicted by Kangudia in

establishing the CENI, together with the challenges faced by the Senate in adopting decentralization legislation, leaves the prospect of local elections in 2008 increasingly in doubt. End comment.

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